

Message Text

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OIC-02 ARA-06 EA-06 EUR-12 NEA-09 CEA-01 CIEP-01

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TO SECSTATE WASHDC PRIORITY 5518

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LIMITED OFFICIAL USE SECTION 1 OF 2 IAEA VIENNA 1535

EO 11652: NA

TAGS: IAEA SENV

SUBJECT: IAEA:UNEP ENERGY STUDY

REF: STATE 34437

AEC PASS DR. JAMES LIVERMAN

SUMMARY. FOLLOWING IS SUMMARY OF CHAIN OF EVENTS RE
PROBLEM BETWEEN IAEA AND UNEP OVER DRAFT ENERGY REPORT
TO BE CONSIDERED BY UNEP PANEL OF EXPERTS NEXT WEEK,
TOGETHER WITH MISSION'S SUGGESTIONS FOR MOVING THIS
EXERCISE IN A MORE CONSTRUCTIVE DIRECTION. END SUMMARY.

1. AGENCY ALSO HAD APPRISED MISSION OF PROBLEMS DIS-
CUSSED REFTTEL RE DRAFT ENERGY REPORT PREPARED BY USMANI
FOR DISCUSSION AT PANEL MEETING NEXT WEEK, AND WE HAVE
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SINCE FOLLOWED UP TO ASCERTAIN FURTHER DETAILS. WE HAVE

ALSO OBTAINED EXTRACTS FROM DRAFT REPORT RELATING TO NUCLEAR ENERGY, WHICH WAS TRANSMITTED TO IAEA OFFICE AT UN ON FEBRUARY 5 AND RECEIVED AT AGENCY FEBRUARY 11, AND WE HAVE SEEN COPIES OF PERTINENT MESSAGES ON SUBJECT.

2. FYI: WE WOULD DISAGREE WITH FERRI'S CHARACTERIZATION OF NUCLEAR ENERGY SECTION AS "NOT BAD". IN OUR VIEW, DRAFT AS IT STANDS CONTAINS SO MANY INACCURACIES AND MISLEADING STATEMENTS THAT IT IS DIFFICULT TO TAKE IT SERIOUSLY. FOR EXAMPLE, A SENTENCE IMMEDIATELY FOLLOWING STATEMENT NOTING DIFFERENCE BETWEEN ATOMIC BOMB (UNCONTROLLED CHAIN REACTION) AND ATOMIC REACTOR (CONTROLLED REACTION) NOTES THAT: "FROM WHAT HAS BEEN SAID ABOVE, IT FOLLOWS THAT IF DUE TO AN ACCIDENT OR NEGLIGENCE THE CHAIN REACTION IN A REACTOR GETS OUT OF CONTROL, THE CONSEQUENCES COULD BE DISASTROUS", THUS IMPLYING THAT A REACTOR "OUT OF CONTROL" COULD EXPLODE LIKE AN ATOMIC BOMB. THIS IS MORE LIKE SOMETHING ONE WOULD READ IN DAILY TABLOID NEWSPAPER RATHER THAN A SERIOUS STUDY TO BE PRESENTED TO UNEP GOVERNING COUNCIL, AND IF IT IS ANY INDICATION OF QUALITY OF ENTIRE REPORT, WE DO NOT ENVY JOB THAT EXPERTS WILL HAVE NEXT WEEK. END FYI.

3. UPON RECEIPT OF DRAFT FEBRUARY 11, AGENCY CABLED STRONG (FEBRUARY 12) NOTING THAT LATE SUBMISSION OF DOCUMENT "COMPLETELY UNSATISFACTORY", NOTING FURTHER THAT AGENCY HAD BEEN TOLD BY UNEP THAT DOCUMENT WOULD BE SENT TO IAEA IN DECEMBER AND IAEA GIVEN AMPLE OPPORTUNITY TO PROVIDE COMMENTS, AND FINALLY, URGING THAT PANEL BE POSTPONED FOR TWO WEEKS, IN ORDER TO ALLOW ADEQUATE TIME TO STUDY DOCUMENT AND FORMULATE CONSIDERED VIEWS.

4. AGENCY RECEIVED RESPONSE FROM STRONG (FEBRUARY 15) RECOGNIZING AGENCY'S DIFFICULTY BUT NOTING THAT UNEP WAS UNDER CONSIDERABLE PRESSURE TO HOLD MEETING AS SCHEDULED BECAUSE OF RELATIONSHIP TO GC/III SCHEDULE, AND THAT IAEA'S LONG EXPERIENCE IN PREPARATION OF THIS SUBJECT SHOULD MAKE POSSIBLE RAPID FORMULATION IAEA VIEWS. IN VIEW TIME CONSTRAINTS, HOWEVER, HE OFFERED TO NOTE EXPLICITLY FOR TRANSMISSION TO GOVERNING COUNCIL ANY RESERVATIONS AGENCY LIMITED OFFICIAL USE

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HAS ON REPORT OF EXPERTS AND/OR DOCUMENT PRESENTED TO THEM. (WE AND AGENCY ARE UNCERTAIN AS TO HOW UNEP SECRETARIAT INTENDS TO PROCEED, SINCE LATTER STATEMENT TENDS TO IMPLY THAT DRAFT ENERGY REPORT MAY BE SUBMITTED TO GOVERNING COUNCIL ALONG WITH SEPARATE REPORT OF PANEL OF EXPERTS PLUS ADDITIONAL DOCUMENT CONTAINING IAEA VIEWS, THUS LEAVING GOVERNING COUNCIL TO RESOLVE DIFFERENCES. THIS SEEMS TO BE RATHER AWKWARD PROCEDURE.)

5. AGENCY RESPONDED TO STRONG BY CABLE FEBRUARY 18 NOTING THAT PROCEDURE BEING FOLLOWED BY UNEP SECRETARIAT DOES NOT RPT NOT, AS FAR AS IAEA IS CONCERNED, MEET REQUIREMENTS OF RESOLUTION OF STOCKHOLM CONFERENCE THAT ENERGY STUDY BE CARRIED OUT "IN COLLABORATION" WITH APPROPRIATE INTERNATIONAL BODIES "SUCH AS IAEA AND OECD", AND INDICATING THAT AGENCY'S OVERALL REACTION TO DRAFT IS "CONCERN AT UNSCIENTIFIC AND OFTEN MISLEADING APPROACH TAKEN IN NUCLEAR ENERGY SECTION, WHICH IF UNCORRECTED WOULD CAST SERIOUS DOUBT ON TECHNICAL INTEGRITY OF REPORT AND UNDERMINE ITS VALUE". AGENCY ALSO NOTED THAT IT IS PROCEEDING TO FORMULATE ITS COMMENTS, WHICH SHALL BE PRESENTED AT MEETING ITSELF, AND INDICATED THAT DECISION REGARDING FURTHER ACTION TO BE TAKEN ABOUT TECHNICAL SUBSTANCE OF REPORT SHOULD BE RESERVED UNTIL AFTER PANEL HAS REVIEWED AGENCY'S TECHNICAL COMMENTS AND OTHER COMMENTS PRESUMABLY TO BE MADE BY OTHER PARTICIPANTS AT MEETING. AGENCY RESPONSE ALSO NOTED THAT AGENCY WILL BE REPRESENTED AT PANEL BY DIRECTOR OF IAEA UN OFFICE, ASSISTED BY TECHNICAL MEMBER OF STAFF "WHO WILL, HOWEVER, RESERVE IAEA'S POSITION AS NECESSARY". AGENCY'S CABLE ALSO REFERS TO PROPOSALS CONTAINED IN DRAFT REPORT "OF AN ORGANIZATIONAL CHARACTER AFFECTING RELATIONS BETWEEN UNEP, IAEA AND OTHER UNITED NATIONS BODIES", NOTING THAT THESE ARE QUITE OUT OF PLACE IN TECHNICAL REPORTS OF THIS NATURE, OUTSIDE SCOPE OF TECHNICAL PANEL, AND OUTSIDE TERMS OF REFERENCE OF STUDY SET FORTH IN RECOMMENDATION 59 OF STOCKHOLM CONFERENCE AND DECISIONS OF UNEP GOVERNING COUNCIL ITSELF. (PROPOSALS REFERRED TO RELATE TO "AN INDEPENDENT REVIEW BY AN INTERNATIONAL PANEL OF EXPERTS...OF THE INTERNATIONAL STANDARDS OF SAFETY OF NUCLEAR REACTORS, FUEL ENRICHMENT, FUEL FABRICATION AND FUEL REPROCESSING PLANTS, AND OF CRITERIA AND CODES, EVOLVED BY THE IAEA, IN REGARD TO THE MANAGE-LIMITED OFFICIAL USE

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MENT, STORAGE AND DISPOSAL OF RADIOACTIVE WASTES WHICH POSE SERIOUS POTENTIAL HAZARDS TO THE ENVIRONMENT FOR THOUSANDS OF YEARS.") FINALLY, AGENCY CABLE EXPRESSES SURPRISES THAT REPORT OF THIS KIND SHOULD SPECULATE THAT "THERE MAY DEVELOP A MOVEMENT WHICH MAY WISH TO HAVE THE REGULATORY FUNCTIONS OF IAEA BROUGHT UNDER THE SCRUTINY OF AN INDEPENDENT PANEL OF EXPERTS", NOTING THAT, APART FROM SUCH REFERENCES IN CORRESPONDENCE WITH UNEP, AGENCY IS COMPLETELY UNAWARE OF ANY SUCH MOVEMENT, WHICH, AS IAEA DG HAS PREVIOUSLY INDICATED, "WOULD BE UNWORKABLE IN PRACTICE AND IN ALL PROBABILITY UNACCEPTABLE TO IAEA BOARD OF GOVERNORS".

6. COMMENT: MISSION APPRECIATES DEPARTMENT'S DESIRE TO AVOID GETTING IN THE MIDDLE OF THIS APPARENT CONTROVERSY,

BUT WE BELIEVE IT WOULD BE IN US INTEREST TO TRY TO GET
UNEP MOVING IN A MORE CONSTRUCTIVE DIRECTION. WE CLEARLY
SEE MERIT IN PRODUCTION, BUT WE WOULD HOPE THAT SUCH A REPORT
COULD BE PREPARED MORE CAREFULLY THAN THAT BEING DONE
UNDER THE PRESENT EXERCISE, WHICH SEEMS AMATEURISH IN MANY
RESPECTS. WE SUSPECT THE PANEL OF EXPERTS WILL NOT FAIL
TO NOTICE THIS AS WELL. WE WOULD RATHER SEE UNEP TAKE A
LITTLE LONGER AND END UP WITH A HIGHER QUALITY PRODUCT.

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ACTION IO-10

INFO OCT-01 AF-06 ISO-00 IOE-00 EB-07 AID-05 ACDA-05

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WE THINK THIS COULD BE DONE IF UNEP SECRETARIAT COULD BE
PERSUADED TO CONSIDER APPROACHING SUBJECT IN SLIGHTLY
DIFFERENT MANNER.

7. WE BELIEVE, FOR EXAMPLE, THAT CONSIDERATION SHOULD
BE GIVEN TO URGING THAT UNEP EXPLORE POSSIBILITY OF HAVING
INTERNATIONAL INSTITUTE FOR APPLIED SYSTEMS ANALYSIS (IIASA)
UNDERTAKE AN IN-DEPTH STUDY OF ENVIRONMENTAL IMPACT FROM
ALL RPT ALL ENERGY SOURCES. BELIEVE IIASA, WHICH ALREADY

AHS DEVELOPED EXTENSIVE AND WELL RESPECTED EXPERIENCE IN UNDERTAKING VARIOUS ENERGY SYSTEMS STUDIES, WOULD BE EXCEPTIONALLY WELL QUALIFIED TO UNDERTAKE SUCH A STUDY IN AN OBJECTIVE AND SCIENTIFIC WAY, AND THAT THIS IN ITSELF WOULD ENHANCE THE TECHNICAL INTEGRITY AND CREDIBILITY OF THE REPORT. WE BELIEVE THERE WOULD BE MERIT IN ENCOURAGING THIS CONCEPT AT MEETING NEXT WEEK, IF LIVERMAN AGREES. WITH SOME FIXING UP OF NUCLEAR ENERGY SECTION (AND PROBABLY LIMITED OFFICIAL USE

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OTHER SECTIONS AS WELL), DRAFT REPORT COULD THEN BE SUBMITTED TO GC/III AS INTERIM REPORT, ALONG WITH DESCRIPTION OF ADDITIONAL STEPS PLANNED TO ACCOMPLISH ITS OBJECTIVE, AS REQUESTED BY UNEP GOVERNING COUNCIL. WE BELIEVE THAT IF UNEP COULD BE ENCOURAGED TO MOVE IN THIS DIRECTION, IT MIGHT ALSO HELP REDUCE THE GROWING CONFLICT BETWEEN IAEA AND UNEP, WHICH CLEARLY WOULD BE IN US INTEREST, SINCE WE HAVE SUBSTANTIAL INVESTMENTS IN BOTH ORGANIZATIONS.

8. WHILE WE STRONGLY AGREE WITH AGENCY THAT ORGANIZATIONAL MATTERS SHOULD NOT RPT NOT BE CONSIDERED BY PANEL NEXT WEEK, WE SHOULD LIKE TO NOTE THAT IN OUR VIEW, CONCERN RE SEPARATION OF INTERNATIONAL RESPONSIBILITY FOR PROMOTIONAL ASPECTS OF NUCLEAR POWER FROM RESPONSIBILITY FOR REGULATORY ASPECTS IS NOT RPT NOT WELL FOUNDED. QUITE APART FROM IAEA'S CLEAR STATUTORY AUTHORITY RE HEALTH AND SAFETY ASPECTS OF NUCLEAR ENERGY, AGENCY'S "REGULATORY" ACTIVITIES IN PRACTICE ARE SUPPORTED ALMOST EXCLUSIVELY BY THE REGULATORY AND NOT RPT NOT THE PROMOTIONAL NUCLEAR ENERGY ORGANIZATIONS IN MEMBER STATES. IT IS MISLEADING, THEREFORE, TO SUGGEST THAT THE AGENCY SUFFERS FROM A PROMOTIONAL VS. REGULATORY CONFLICT. WHILE THERE HAS BEEN OCCASIONAL TALK ABOUT A POTENTIAL PROMOTIONAL VS. REGULATORY PROBLEM IN THE AGENCY (NOTABLY BY THE UK) AND THE DG HAS INDICATED THAT THIS PROBLEM WOULD BE STUDIED, WE HAVE NO DOUBT THAT SUCH A STUDY WOULD SHOW THAT THERE IS NO RPT NO SUCH PROBLEM AT THIS TIMEVN PRIMARILY BECAUSE OF THE MANNER IN WHICH THE AGENCY'S "REGULATORY" ACTIVITIES ARE CARRIED OUT IN PRACTICE. FOR EXAMPLE, AGENCY'S CURRENT EXPANDED PROGRAM TO DEVELOP SAFETY STANDARDS, CODES OF PRACTICE, ETC., IS ENTIRELY DEPENDENT UPON INPUTS FROM REGULATORY ORGANIZATIONS IN MEMBER STATES IN TERMS OF NUCLEAR POWER, FINANCIAL SUPPORT AND KNOWLEDGE. IT IS CONCEIVABLE THAT AT SOME FUTURE TIME A PROMOTIONAL VS. REGULATORY CONFLICT COULD DEVELOP WITHIN AGENCY, PARTICULARLY IN CONNECTION WITH IMPLEMENTATION OF WHATEVER SAFETY STANDARDS, CODES OF PRACTICE, ETC., HAVE BEEN DEVELOPED TO ITS OWN PROJECTS, BUT AT THIS STAGE, WE SEE NO RPT NO EVIDENCE OF ANY SUCH PROBLEM. AGENCY HAS FROM TIME TO TIME SUGGESTED THAT UNEP COULD PLAY A FAR MORE CONSTRUCTIVE ROLE AT THIS STAGE BY

CONTRIBUTING TO AND WORKING WITH IAEA IN ITS PROGRAM TO
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DEVELOP SAFETY STANDARDS, CODES OF PRACTICE, ETC., RATHER THAN TENDING TO STAND ALOOF AS SOME SORT OF FINAL ARBITER RE ADEQUACY OF SUCH SAFETY MEASURES, WHICH WOULD CREATE SERIOUS PROBLEMS FROM NUMBER OF POINTS OF VIEW, INCLUDING DEROGATION OF IAEA'S STATUTORY AUTHORITY. IT SEEMS TO US THAT UNEP INVOLVEMENT AT THE TIME SUCH STANDARDS AND CODES, ETC., ARE BEING DEVELOPED RATHER THAN AFTER THE FACT WOULD BE A MORE MEANINGFUL APPROACH FOR UNEP. THIS WOULD AMOUNT TO MORE THAN A PUBLIC RELATIONS EXERCISE, AND WE THINK WUEP COULD BECOME INVOLVED IN SUCH A WAY AS TO MAINTAIN ITS OWN INTEGRITY AND INDEPENDENCE AS THE "INTERNATIONAL PROTECTOR OF THE ENVIRONMENT". IF THERE IS SOME WAY FOR THE US TO CONVINCE UNEP OF THE MERITS OF SUCH AN APPROACH, WE THINK IT WOULD BE IN OUR INTEREST TO DO SO. WE REITERATE, HOWEVER, OUR VIEW THAT IT WOULD BE INAPPROPRIATE FOR DRAFT ENERGY REPORT TO ATTEMPT TO ADDRESS THIS ASPECT OF MATTER.

9. LIVERMAN SHOULD ALSO BE AWARE THAT DURING OUR PRE-BOARD CONSULTATIONS RECENTLY, REPS FROM OTHER COUNTRIES, E.G., UK, FRG, SEDEN, FRANCE AND USSR, HAVE LIKEWISE EXPRESSED CONCERN AT DIRECTION IN WHICH UNEP EXERCISE SEEMS TO BE HEADED, AND WE EXPECT THEY WILL BE IN TOUCH WITH THEIR OWN GOVERNMENTS ON THE MATTER. IT IS POSSIBLE, THEREFORE, THAT SOME OF THE OTHER EXPERTS AT PANEL NEXT WEEK WILL HAVE BEEN BRIEFED BY THEIR RESPECTIVE GOVERNMENTS. WE HAVE JUST LEARNED FROM AGENCY THAT PANEL WILL BE COMPOSED OF EXPERTS FROM AUSTRALIA, BRAZIL, CANADA, PRC, EGYPT, FRANCE, INDIA, IRAN, JAPAN, NIGER, POLAND, US (LIVERMAN), USSR AND VENEZUELA. TAPE

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